

### Remarks/Arguments

Claims 1-8 remain presently pending in this application and stand rejected following the Official action mailed October 5, 2004. To better distinguish applicants' invention from the art of record, applicants have amended claim 1. Ample antecedent basis exists in the specification for such amendments.

Before proceeding to address the examiner's rejections, applicants will briefly summarize their invention to assist the examiner in better appreciating the differences between applicants' invention and the art of record. As recited in newly amended claim 1, applicants provide a technique for broadcasting a show to at least one client. The technique commences upon receipt at a server of a request for at least one show segment. The show segment(s) are assembled into a video clip using a time code format to permit selection of the specific show segment(s). The video clip is sent to the requesting client for buffering to permit continuous display.

### 35 U.S.C. 102(e) Rejection of Claim 1

Claim 1 stands rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent 5,987,501, issued November 16, 1999, from an application filed July 14, 1998, in the name of James Hamilton et al. Applicants traverse the rejection in view of the amendments to claim 1.

The Hamilton et al. patent concerns a multimedia system for delivering content in accordance with a user request. A media server (40) maintains a connection via a network (42) to various clients (44, 46 and 48). In advance of an actual request, a client will identify a set of clips from which individual clips are selected. From such a list, the server can predict the clips subject to possible request. In this regard, the examiner contends that the Hamilton et al. patent discloses all of the steps of claim 1.

As now amended, claim 1 recites the step of:

assembling the at least one show segments using a time code format to produce a single video clip;

As discussed at page 70, lines 13-22 of their specification, applicants make use of a time code format of each selected show segment to assemble the show segments into a video clip. The Hamilton et al. patent contains no such disclosure or suggestion concerning the assembly of show segments using a time code format. In fact, the disclosure at Col. 6, lines 42-44 of the

Hamilton et al. patent suggests that the order of the segments comprising the video clip depends on the order of the request made by a user, not the time code associated with the show segment. Therefore, the Hamilton et al. patent would not anticipate applicants' amended claim 1. Withdrawal of the 35 U.S.C. 102(e) rejection of claim 1 is requested.

### **35 U.S.C. 103(a) Rejection of Claims 1-4, 7 and 8**

Claims 1-4, 7, and 8 stand rejected under 35 U.S.C. 103(a) as obvious in view of U.S. Patent 6,668,377, issued December 23, 2003, from an application filed July 9, 1999, in the name of Matthew Dunn. Applicants respectfully traverse the rejection in view of the amendments to claim 1.

The Dunn et al. patent concerns a Video-on-Demand system that includes a media server (40) that stores program information and trailers, and a database server (44) that stores program information. Viewers select criteria for grouping various programs for potential selection. Based on the program selection, the VOD system permits the viewer to select trailers for viewing.

In rejecting the claims, the examiner maintains that Dunn discloses all of the steps of claim 1 except the buffering at the client. In that regard, the examiner contends that providing a buffer memory is well known and would have been obvious to one skilled in the art.

As discussed previously, applicants have amended claim 1 to recite the feature of assembling at least one show segment using a time code format. In contrast, the Dunn patent assembles show segments based on user program selection. Nowhere does Dunn disclose or suggest assembling the show segments using a time code format. In the absence of any disclosure concerning assembly of the show segments using a time code format, claim 1, and claims 2-4 and 7-8 that depend therefrom, patentably distinguish over the Dunn patent. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of claims 1-4, 7 and 8

### **35 U.S.C. 103(a) Rejection of Claims 5 and 6**

Claims 5 and 6 stand rejected under 35 U.S.C. 103(a) as obvious in view of the Dunn Patent discussed above, further in view of U.S. Patent 5,929,849, issued July 27, 1999, in the name of Dan Kikinis. Applicants respectfully traverse this rejection.

In rejecting applicants' claims 5-6 which incorporate the feature of instructing the client to provide a URL, the examiner contends that Dunn discloses all of the features of claim 1, except buffering (which would have been obvious) as well as providing a URL. To provide the teaching of presenting a URL, the examiner relies upon the Kikinis patent.

Applicants have discussed the Dunn patent previously and for the sake of brevity will not repeat a discussion here. For purposes of the present rejection, applicants reiterate that Dunn does not teach or disclose assembling at least one show segment based on a time code format, as recited in claim 1 and as incorporated by reference in claims 5 and 6.

The Kikinis patent concerns a system for receiving frame data and for making an association between one or more frames and one or more Universal Resource Locators(URLs). By accessing a particular frame, the user automatically links to an associated URL.

Like the Dunn patent, the Kikinis patent also fails to teach or disclose assembling at least one show segment based on a time code format, as recited in claim 1 and as incorporated by reference in claims 5 and 6. Therefore, the combination of Dunn and Kikinis would not teach all of the features recited in claims 5 and 6. Applicants respectfully request withdrawal of the 35 U.S.C. 103(a) rejection of these claims.

## **Conclusion**

In view of the foregoing remarks, applicants respectfully solicit reconsideration of the rejection and allowance of the claims. If, however, the Examiner believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to  
Deposit Account 07-0832.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

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